



Government Motion – Motion Kit

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Motion: Invocation of Emergencies Act

Responsible Ministry: Minister of Public Safety and Minister of Justice

Summary of Motion:

This motion upholds the Government's invocation of a public order Emergency under section 17 of the *Emergencies Act*

Government Lead:

Hon. Marco Mendicino (Public Safety)
Hon. David Lametti (Justice and Attorney General)

Hon. Chrystia Freeland (Deputy Prime Minister and Minister of Finance)

Parliamentary Secretaries:

Pam Damoff (Oakville North-Burlington)
Gary Anandasangaree (Scarborough-Rouge River)
Terry Beech (Burnaby North-Seymour)

Key Messages:

General

- For almost three weeks now, blockades have been illegally disrupting the life of Canadians, harming our economy, and endangering public safety.
- It is now clear that there are serious challenges to local law enforcements' ability to effectively enforce the law.
- We are invoking the Emergencies Act to supplement Provincial and Territorial authorities to address the blockades and occupation to keep Canadians safe, protect people's jobs, and restore confidence in our institutions.

If pressed on measures:

- Through the Emergencies Act, we are providing new authorities to law enforcement to regulate crowds, prohibit blockades and keep essential corridors open.
- The Emergencies Act allows the government to mobilize essential services, such as tow trucks, allows the RCMP to act more swiftly to enforce local laws, and provides enhanced power to stop the flow of money.
- These measures are targeted, temporary and proportionate. We are invoking them only after exhausting all other options.
- This is about keeping Canadians safe, protecting people's jobs and restoring confidence in our institutions.

If pressed on financial measures:

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- We are broadening the scope of Canada's anti-money laundering and terrorist financing rules so that they cover crowdfunding platforms and their payment service providers, including those using digital assets such as cryptocurrencies.
- The government is issuing an order with immediate effect authorizing Canadian financial institutions to temporarily cease providing financial services where the institution suspects that an account is being used to further the illegal blockades and occupations.
- We are directing Canadian financial institutions to review their relationships with anyone involved in the blockades and report to the RCMP or CSIS.
- Corporate accounts related to the illegal blockades will be frozen and the vehicle insurance will be revoked.
- This is about keeping Canadians safe, protecting people's jobs and restoring confidence in our institutions.

If pressed on impact on businesses:

- The situation in Ottawa, and at borders across the country, has become untenable.
- Our government is not settling for ongoing disturbances that have caused deep harm to Ottawa residents and businesses, and to our broader national economy.
- While Canadians have a right to protest – that our government will always defend fiercely – that right does not extend to occupying streets, breaking laws, and shutting down major trade corridors.
- We urge all of those who are outside and who are at our borders to go home. You have been heard and you are better served elsewhere.

If pressed on economic impact of blockades:

- This occupation and these blockades are causing serious harm to our economy, to our democracy, and to Canada's international standing. The world's confidence in Canada as a place to invest and do business is being undermined.
- The blockade of the Ambassador Bridge has affected about \$390 million in trade each day. This bridge supports 30 percent of all trade by road between Canada and the United States, our most important trading partner.
- In Coutts, Alberta, about \$48 million in daily trade has been affected by the blockades.
- In Emerson, Manitoba, about \$73 million in daily trade has been affected by the blockades.
- Those impacts are real. They threaten businesses big and small, and they threaten the livelihoods of Canadian workers.

If pressed on asset freezing:

- What we are facing today is a threat to our democracy, to our economy, and to peace, order, and good government in Canada. This is unacceptable.
- This is why our government has authorized Canadian financial institutions to temporarily cease providing financial services where the institution suspects that an account is being used to further the illegal blockades and occupations.
- This is about stopping the financing of these illegal blockades. The Government of Canada is hereby serving notice: if your truck is being used in these protests, your corporate accounts will be frozen. Your insurance on your vehicle will be revoked.
- Send your semi-trailers home. The Canadian economy needs them to be doing legitimate work, not to be illegally infringing upon the freedoms of others.

If pressed on the military:

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- The Emergencies Act does not involve the military – that is under the National Defence Act which is not what we’re invoking today.
- This is about keeping Canadians safe, protecting people’s jobs and restoring confidence in our institutions.

If pressed on the Charter:

- The specific measures provided via the Emergencies Act are limited, subject to numerous checks and safeguards through Parliament, and must be compliant with the Canadian Charter of Rights and Freedoms.

If pressed on parliamentary oversight:

- Having now declared a public order emergency, we will table the declaration in Parliament, as required, within seven sitting days.
- Our Government is conscious of the need for transparency and Parliamentary oversight as we undertake this action, and will provide Parliament timely information so that it can perform its oversight role.
- In the coming days, a Parliamentary Committee will be struck to provide oversight while the emergency is in effect.
- The declaration only lasts for 30 days, unless renewed. However, we can – and sincerely hope to – revoke the state of emergency much sooner.
- Parliament also has the ability to revoke the declaration of the emergency, as set out clearly in the Act.

Position Rationale:

Canada is a rule-of-law country. By declaring a Public Order Emergency under the Emergencies Act, we followed the law and are acting within it. There are clear conditions set out in the Emergencies Act in order for a Public Order Emergency to be declared. Our government believes those conditions have been met, and that required the Government of Canada to act.

The Emergencies Act contains several safeguards and safeguards, including parliamentary review. Actions taken under the law must respect the Canadian Charter of Rights and Freedoms.

The scope of these measures will be time-limited, geographically targeted, as well as reasonable and proportionate to the threats they are meant to address. The Emergencies Act will be used to strengthen and support law enforcement agencies at all levels across the country. This is about keeping Canadians safe, protecting people’s jobs and restoring confidence in our institutions.

The following six measures have been brought in to bring this matter under control:

- Regulation and prohibition of public assemblies that lead to a breach of the peace and go beyond lawful protest. What we are seeing in Ottawa and at the Ambassador Bridge are not lawful protests;

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- Designating and securing places where blockades are to be prohibited (this could include borders, approaches to borders, other critical infrastructure, Ottawa);
- Directing persons to render essential services to relieve impacts of blockades on Canada's economy (this could include tow trucks and their drivers, for compensation);
- Authorizing or directing financial institutions to render essential services to relieve impact of blockades, including regulating and prohibiting the use of property to fund or support the blockades ;
- Measures enabling the RCMP to enforce municipal by laws and provincial offences where required; and
- The imposition of fines or imprisonment for contravention of any order or regulation made under section 19 of the *Emergencies Act*

The Emergencies Act also contains a number of significant limits, checks and safeguards. As required by the Act, on several occasions over the past week, the Prime Minister and members of Cabinet consulted with the Premiers and members of their respective governments. Having declared a public order emergency, we tabled the declaration in Parliament.

In the coming days, a Parliamentary Committee will be struck to provide oversight while the emergency is in effect. The declaration only lasts for 30 days, unless renewed. However, we can – and sincerely hope to – revoke the emergency much sooner.

Parliament also has the ability to revoke the declaration of the emergency, as set out clearly in the Act. It also has the power to amend or revoke any order made under the Act. Orders must be tabled in Parliament within two days for review of Parliamentarians.

Quotes

All of those pieces of legislation and supports we've got from different levels of government have directly and actively contributed to our ability to ultimately say: We are in a position to move forward, and to end this demonstration

- Interim Police Chief Bell

"Alberta successfully managed the impacts of the Coutts blockade and other protests through effective police work by the RCMP and supporting law enforcement agencies,"

"While the demonstrations in Alberta, and across the country, have been disruptive at times, they do not represent a national emergency."

- Premier Kenney

"In order to ensure a return of free movement of people, vehicles and goods and services through this pivotal location, we are seeking federal assistance in removing obstructions from the highway,"

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"I am requesting federal assistance that includes the provision of equipment and personnel to move approximately 70 semi-tractor trailers and approximately 75 personal and recreational vehicles from the area," the minister added.

- Alberta Transportation Minister Rick McIver in Feb 5 Letter to Minister Blair

"I think is exactly the way legislation should be used. For emergencies. And at the end of the day, people will be judged by its use. I support it. I felt we're at a point of no return. I felt the challenges, not only what was happening downtown Ottawa, because it also I think that what we were seeing at our borders, look, we had people who had plans to kill RCMP officers, they had the fire power to do that in Alberta, who knows what else could have happened. I think it was timely and I think three weeks was more than enough time to let legislation that was in place get there without emergencies act and I absolutely support it. I think it was the right time to do this and the review will come as a result."

- Canadian Senators Group Senator, former Ottawa police chief and Harper appointee Vern White

"Our nation's truck drivers, who are caught up in these blockades are at personal risk, and the manufacturers that rely on trucking services are being forced to shut down...We must restore Canada's image as a good place to invest and do business and ensure our trucking and manufacturing industries continue to thrive."

- Joint letter from the Canadian Manufacturers & Exporters and the Canadian Trucking Alliance to the federal government

"This is not an academic exercise. It is the real deal. We are only about a week into the border blockades and already the ripple impacts are being felt. Doing nothing — and allowing the blockades to metastasize — will only cripple the economy and create a larger backlog to grapple with after the blockades end...Where the national interest is at stake, there is no room for petty partisanship or squabbling over jurisdiction...It would be an abdication of leadership to not use the tools available to ensure that our economy can function."

- Canadian Chamber of Commerce President & CEO Perrin Beatty

"The damage this is causing to our economy, to people's jobs and their livelihoods is totally unacceptable. We cannot let this continue... our right to make a political statement does not outweigh the right of hundreds of thousands of workers to earn their living...It does not outweigh our right to get food across our borders. Your right to make a political statement does not outweigh the rights of one million people in Ottawa to live peacefully, free of harassment and chaos in their own homes."

- Premier Doug Ford

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“We would not be here, safely policing a thinned out crowd, if it not were for the Emergencies Act”

“[The Emergencies Act] is extremely important. It motivated people to leave and signalled there will be major consequences.”

- Michael Kempa, Professor of Criminology at Ottawa University

CPC Position:

Oppose

“Let us be very clear how this all started. The Prime Minister decided to impose a vaccine mandate on truckers with no scientific evidence that it was the right thing to do. Many Canadians opposed it, but he went ahead anyway. Truckers and millions of Canadians felt they had no recourse with the Prime Minister, and who can blame them?” – Candice Bergen

BQ Position:

Oppose

“Freedom requires striking a balance between individual and collective freedoms. Doing this requires judgment, and that is not currently on display in all parties. Freedom is a test of leadership, the test of freedom. The Prime Minister failed this test because of ideology. He sought to subjugate collective and individual freedoms, to crush the identity of a nation under that of all nations, to deny the nation and talk of a postnational state. He is continuing the work of his father. He is denying Quebec, he is completing the transformative work of trivializing the Quebec nation.” – Jean-Yves Blanchet

NDP Position:

Support

“However, the convoy has been infiltrated by members of the far right. What is more, most of the convoy organizers use extreme right-wing rhetoric and are openly affiliated with the far right. It is not a rumour or hearsay, since they wrote in black and white that if they do not get what they want, they will overthrow the government and replace it with a provisional government in collaboration with the Senate and the Governor General. These people are anti-Parliament, anti-public health and anti-democracy, and they are threatening to overthrow an elected government by force.

I would remind the House that these people have received public support from the interim leader of the Conservative Party and her finance critic, who is now a leadership candidate for that same party. I think that one day, the Conservative Party will have to answer to Canadians for its actions and its place in history.” – Alexandre Boulerice

For additional information, please contact:

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